THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOMBARDIER INC., Plaintiff, v. MITSUBISHI AIRCRAFT CORPORATION, MITSUBISHI AIRCRAFT CORPORATION AMERICA INC., et al., Defendants.	2:18-cv-1543 JLR DECLARATION OF NORIYUKI HATTORI IN SUPPORT OF OPPOSITION TO PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION FILED UNDER SEAL

I, NORIYUKI HATTORI, declare as follows:

1. I am an Avionics Engineer in the Engineering Division of Defendant Mitsubishi Aircraft Corporation ("MITAC"), which is based in Nagoya, Japan. I have been working with MITAC since its inception as a contract engineer. I am not a direct employee of MITAC. My direct employer is an engineering company called Tamadic Co., Ltd.

2. My primary responsibilities for MITAC include design and certification of avionics for the Mitsubishi Regional Jet ("MRJ"). I am currently working on the certification plan for the Communication and Navigation System, including the air data system, for the MRJ.

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

The MRJ Air Data System

3. Generally speaking, an air data system collects data that can be used to calculate information like altitude or airspeed. That information is displayed to the pilots. Through the course of my work for MITAC, I have learned that the MRJ air data system was originally designed by engineers at Mitsubishi Heavy Industries, Ltd. ("MHI") in 2008. The original design of the air data system has not significantly changed since then.

4. To collect relevant data, the MRJ air data system incorporates several sensors that obtain static or dynamic pressure. The MRJ air data system includes pitot static probes that are connected to pressure sensors in two air data computers. The probes are connected to the air data computers by pneumatic tubes. The air data computer reads the static and dynamic pressure data and performs calculations to obtain altitude, airspeed, and other relevant information.

Information Relied on to Develop Certification Plan for MRJ Air Data System

5. To demonstrate to the Japan Civil Aviation Bureau ("JCAB") that the MRJ air data system complies with applicable regulations, and is safe, MITAC had to develop a certification plan. The certification plan for the air data system of the MRJ describes generally how MITAC will demonstrate compliance with the applicable regulations. This is generally referred to as the means of compliance.

6. I began developing such a plan in 2008. While I had not previously developed a certification plan before, I was able to use a standard certification plan format being used for other systems as a starting point. I consulted public materials, things like advisory circulars and other documents published by the JCAB, to help develop the plan. The development of the certification plan for the air data system was accomplished using general skills and knowledge. As MITAC hired more experienced professionals, such as Peter Stoyel, they became involved with refining the certification plan for the air data system of the MRJ. But the plan did not change significantly when these professionals became involved.

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

7. I did not rely on Bombardier information to develop the certification plan for the MRJ air data system. To my knowledge, no person that has been involved in the certification plan for the MRJ air data system has relied on Bombardier information in their work.

8. I have not reviewed any Bombardier documents related to certifying air data systems. Thus, to my knowledge, I have never seen any of the documents that I understand Bombardier is claiming, in the case it filed against MITAC, contain trade secrets related to certifying air data systems.

9. I am not aware of anyone at MITAC that has reviewed any Bombardier document related to certifying air data systems. I have never seen anyone at MITAC use or access Bombardier documents. I have not been seen or been provided with any Bombardier documents while working for MITAC.

10. I have personal knowledge of all the facts stated in this Declaration and, if called to, could and would testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 25 day of April 2019 at Nagoya, Japan.

/s/ Noriyuki Hattori
NORIYUKI HATTORI

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

CERTIFICATE OF SERVICE

I certify under penalty of perjury that on May 13, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses indicated on the Court's Electronic Mail Notice List.

DATED this 13th day of May, 2019.

s/Jerry A. Riedinger
Jerry A. Riedinger, WSBA No. 25828
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000
E-mail: JRiedinger@perkinscoie.com